

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

Paper No. 28

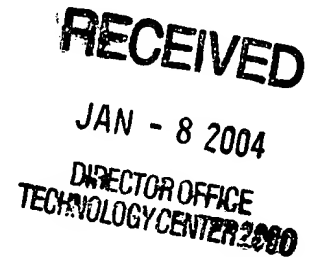
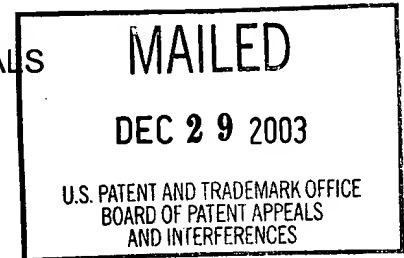
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte NOBUYUKI KAWAI,
HOK S. WONG, MICHAEL J. MCTIFFIN,
and DAVID RANDALL

Appeal No. 2003-0879
Application 08/904,312

ORDER REMANDING TO EXAMINER



The application is being remanded to the examiner for attention and completion regarding the Information Disclosure Statement filed November 6, 2003 (Paper No. 27). There is no indication in the record that the examiner has considered the IDS according to the criteria set forth in 37 CFR §§ 1.97 and 1.98 (1994). A communication notifying the applicants of the Primary Examiner's decision is required. See Manual of Patent Examining Procedure (MPEP) § 609(c)(8th ed., Aug. 2001).

Appeal No. 2003-0879
Application 08/904,312

Accordingly, it is

ORDERED that the application is remanded to the examiner for appropriate consideration of this IDS, notification to the applicants, and for such further consideration as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be promptly informed of any action affecting the appeal in this case.

BOARD OF PATENT APPEALS
AND INTERFERENCES



Dale M. Shaw
Program and Resource Administrator
(703) 308-9797

DMS/cam

Joseph M. Potenza
BANNER AND WITCOFF, LTD.
Eleventh Floor
1001 G. Street, N.W.
Washington, DC 20001-4597